Subpart G—Sponsors of Approved Applications

AUTHORITY: 21 U.S.C. 321, 331, 351, 352, 353, 360b, 371, 379e.

SOURCE: 40 FR 13807, Mar. 27, 1975, unless otherwise noted.

Subpart A—General Provisions

§ 510.3 Definitions and interpretations.

As used in this part:

(a) The term *act* means the Federal Food, Drug, and Cosmetic Act, as amended (secs. 201–902, 52 Stat. 1040 *et seq.*, as amended; 21 U.S.C. 321–392).

(b) *Department* means the Department of Health and Human Services.

(c) *Secretary* means the Secretary of Health and Human Services.

(d) *Commissioner* means the Commissioner of Food and Drugs.

(e) *Person* means individuals, partnerships, corporations, and associations.

(f) The definitions and interpretations of terms contained in section 201 of the act shall be applicable to such terms when used in the regulations in this part.

(g) The term *new animal drug* means any drug intended for use for animals other than man, including any drug intended for use in animal feed but not including such animal feed:

(1) The composition of which is such that such drug is not generally recognized, among experts qualified by scientific training and experience to evaluate the safety and effectiveness of animal drugs, as safe and effective for use under the conditions prescribed, recommended, or suggested in the labeling thereof; except that such a drug not so recognized shall not be deemed to be a *new animal drug* if at any time prior to June 25, 1938, it was subject to the Food and Drug Act of June 30, 1906, as amended, and if at such time its labeling contained the same representations concerning the conditions of its use; or

(2) The composition of which is such that such drug, as a result of investigations to determine its safety and effectiveness for use under such conditions, has become so recognized but which has not, otherwise than in such investigations, been used to a material extent or for a material time under such conditions.

(h) The term *animal feed* means an article which is intended for use for food for animals other than man and which is intended for use as a substantial source of nutrients in the diet of the animal, and is not limited to a mixture intended to be the sole ration of the animal.

(i) The newness of an animal drug, including a new animal drug intended for use in or on animal feed, may arise by reason of: (1) The newness for its intended drug use of any substance of which the drug is comprised, in whole or in part, whether it be an active substance or a menstruum, excipient, carrier, coating, or other component; (2) the newness for its intended drug use of a combination of two or more substances, none of which is itself a new animal drug; (3) the newness for its intended drug use of the proportion of a substance in a combination, even though such combination containing such substance in other proportion is not a new animal drug; (4) the newness for its intended drug use in a different species of animal; (5) the newness of its intended drug use in diagnosing, curing, mitigating, treating, or preventing a disease, or to affect a structure or function of the animal body, even though such drug is not a new animal drug when used in another disease or to affect another structure or function of the body; or (6) the newness of a dosage, or method or duration of administration or application, or any other condition of use prescribed, recommended, or suggested in the labeling of such drug, even though such drug or animal feed containing such drug when used in another dosage, or another method or duration of administration or application, or different condition, is not a new animal drug.

(j) *Animals used only for laboratory research* and *laboratory research animals* mean individual animals or groups of animals intended for use and used solely for laboratory research purposes, regardless of species, and does not include animals intended to be used for any food purposes or animals intended to be kept as livestock.

(k) The term *sponsor* means the person responsible for an investigation of a new animal drug, including responsibility for compliance with applicable provisions of the act and regulations. The *sponsor* may be an individual, partnership, corporation, or Government agency or may be a manufacturer, scientific institution, or an investigator regularly and lawfully engaged in the investigation of new animal drugs.

(l) *Designated journal(s)* means journals listed in § 510.95.

[40 FR 13807, Mar. 27, 1975, as amended at 50 FR 7517, Feb. 22, 1985; 54 FR 22741, May 26, 1989]

EFFECTIVE DATE NOTE: At 64 FR 69190, Dec. 10, 1999 § 510.3 was amended by removing paragraph (l), effective Apr. 24, 2000.

§ 510.4 Biologics; products subject to license control.

An animal drug produced and distributed in full conformance with the animal virus, serum, and toxin law of March 4, 1913 (37 Stat. 832; 21 U.S.C. 151 *et seq.*) and any regulations issued thereunder shall not be deemed to be subject to section 512 of the Federal Food, Drug, and Cosmetic Act.

§ 510.7 Consignees of new animal drugs for use in the manufacture of animal feed.

(a) A new animal drug intended for use in the manufacture of animal feed shall be deemed to be unsafe unless at the time of its removal from the establishment of a manufacturer, packer, or distributor of such drug, such manufacturer, packer, or distributor has an unrevoked written statement from the consignee of such drug, or a notice from the Secretary, to the effect that with respect to the use of such drug in animal feed the consignee:

(1) Holds a license issued under § 515.20 of this chapter; or

(2) Will, if the consignee is not the user of the drug, ship such drug only to a holder of an approved application under § 515.10 of this chapter.

(b) The requirements of paragraph (a) of this section do not apply:

(1) Where such drugs are intended for export and/or

(2) When the use of such drug in the manufacture of a finished feed has been exempted from the requirements of section 512(m) of the act under the conditions specified by regulations published in part 558 of this chapter.

[40 FR 13807, Mar. 27, 1975, as amended at 64 FR 63203, Nov. 19, 1999]

§ 510.95 Designated journals.

The following journals are available to the Food and Drug Administration and thus permit waiving of the submission of reprints and summaries covering reports contained in these journals to the extent that such requirements are waived in the regulations in this part:

All Pet's Magazine (Jersey City).
American Journal of Veterinary Research (Chicago).
Animal Health (Journal of the Animal Health Trust) (London).
Animal Nutrition & Health (Sausalito, CA).
Animal Production (Edinburgh).
Avian Diseases (Amherst).
British Poultry Science (Edinburgh).
Canadian Journal of Comparative Medicine and Veterinary Science (Gardenvale, Quebec).
Canadian Veterinary Journal (Guelph, Ontario).
Cornell Veterinarian (Ithaca).
Experimental Parasitology (New York).
The Feed Bag (Milwaukee).
Feedstuffs (Minneapolis).
Hoard's Dairyman (Fort Atkinson).
Journal of the American Veterinary Medical Association (Chicago).
Journal of Animal Science (Albany).
Journal of Dairy Science (Champaign).
Journal of Economic Entomology (Baltimore).
Journal of Small Animal Practice (London).
Modern Veterinary Practice (formerly North American Veterinarian) (Wheaton, IL).
National Hog Farmer (Grundy Center, IA).
New Zealand Veterinary Journal (Wellington).
Poultry Science (Guelph, Ontario).
Praktische Tierarzt (Postfach, Germany).
Research in Veterinary Science (Chicago).
Small Animal Clinician (Kansas City, MO).
Veterinaermedizin (Konstanz, Germany).
Veterinarian (London).
Veterinarian (International) (New York).
The Veterinary Bulletin (Farnham Royal, England).
Veterinary Medicine (Kansas City, MO).
Veterinary Record (Croydon, England).
Zentralblatt Fuer Veterinaermedizin Zentr. Veterinaermed (Berlin).

[40 FR 13807, Mar. 27, 1975, as amended at 50 FR 7517, Feb. 22, 1985]